IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9351 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

PRUTHVIRAJ KESARIMAL KHAMBIYA

Versus

STATE OF GUJARAT

Appearance:

MR KS JHAVERI for Petitioner

MR PREMAL JOSHI for Respondent No. 1 & 2

MR MITUL K SHELAT for Respondent No. 4

None present for other Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 26/09/2000

ORAL JUDGEMENT

#. What the learned counsel for the petitioner contends that on attaining the age of superannuation till the end of academic year, the benefits are to be given to the petitioner, as per Resolution, prima-facie seems to be

correct. This Resolution should also have been in the knowledge of Ahmedabad Education Society and this order passed if contrary to the Resolution of the Government, may not be correct. Be that as it may, the petitioner is directed to first file a detailed representation to the Chief Secretary to the State of Gujarat and the Chief Secretary is directed, in case he receives representation, to place the same before the committee consisting of four members, including himself as Chairman thereof and three other members not below the rank of Secretary, Finance Department, Law Department and the Department concerned. This representation is to be decided within ten days from the date of receipt thereof. In case the decision given on the representation is adverse to the petitioner, a copy of the same be sent to the petitioner by registered post A.D. and in that case, liberty is granted to the petitioner for revival of the same. Rule and special civil application stand disposed of accordingly with no order as to costs.

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(sunil)